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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIELA GONZÁLEZ, FREDDY JOSE ARAPE RIVAS, M.H., CECILIA DANIELA GONZÁLEZ HERRERA, ALBA CECILIA PURICA HERNÁNDEZ, E.R., and HENDRINA VIVAS CASTILLO,

## Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, and UNITED STATES OF AMERICA

## Defendants

Case No. 3:25-cv-01766-EMC

**PLAINTIFFS' ADMINISTRATIVE  
MOTION FOR ORDER SHORTENING  
TIME AND SETTING SCHEDULE RE:  
PLAINTIFFS' MOTION TO POSTPONE  
EFFECTIVE DATE OF EFFECTIVE  
ACTION (ECF 16)**

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1        In accordance with Civil Local Rules 6-3 and 7-11 and this Court’s rules and orders,  
 2 Plaintiffs respectfully move the Court to modify the briefing schedule with respect to Plaintiffs’  
 3 Motion to Postpone Effective Date of Effective Action (“Motion to Postpone”), filed February 20,  
 4 2025 (ECF 16).

5        In support of this Administrative Motion for Order Shortening Time and Setting Schedule  
 6 (“Motion”), Plaintiffs submit that good cause exists to shorten time as set forth below:

7        1.        Plaintiffs’ Motion to Postpone is currently set to be heard by this Court on March 27,  
 8 2025. *See* ECF 40.

9        2.        This matter pertains to the Department of Homeland Security’s unlawful decision to  
 10 “vacate” the January 17, 2025 extension of Temporary Protected Status for Venezuela (which had  
 11 extended TPS through October 2, 2026), and, subsequently, to terminate Venezuela’s 2023 TPS  
 12 designation. The termination will go into effect on April 3, 2025, when employment authorization  
 13 documents for nearly 350,000 Venezuelan TPS holders who initially registered for TPS under  
 14 Venezuela’s 2023 designation will expire; those TPS holders will become subject to deportation on  
 15 April 8, 2025.

16        3.        Plaintiffs allege that the vacatur and termination are unlawful under the  
 17 Administrative Procedure Act (“APA”) and the anti-discrimination guarantee of the Fifth  
 18 Amendment’s Due Process Clause, and must be set aside.

19        4.        Due to the imminent effective date of the termination of Venezuela’s 2023 TPS  
 20 designation on April 3, 2025, which has already begun to wreak havoc on the lives of affected TPS  
 21 holders as described below, Plaintiff sought to secure an agreement by e-mail with Defendants’  
 22 counsel to accelerate the briefing and hearing of Plaintiffs’ Motion to Postpone. Government counsel  
 23 rejected Plaintiffs’ proposal to shorten the schedule, and has stated a desire to maintain this Court’s  
 24 default schedule. *See* Arulanantham Decl. in Support of Motion to Shorten Time, Ex. 1.

25        5.        Good cause exists for this Court to hear Plaintiffs’ Motion to Postpone on an  
 26 expedited timeframe, as that time is needed to provide the Court an opportunity to rule on the merits  
 27 of Plaintiffs’ motion in advance of the April 3, 2025 effective termination date and April 8, 2025  
 28 deportation-eligibility date for nearly 350,000 Venezuelan TPS holders. The record also shows that

1 Plaintiffs have begun to suffer irreparable harm from the imminent loss of their employment  
 2 authorization and immigration status. Small business owners across the country must decide whether  
 3 to sell their businesses or lay off employees. *See, e.g.*, ECF No. 19 (Ferro Dec. ¶ 13). Others are  
 4 considering whether to sell their homes and cars, end leases, and take other steps that will cause  
 5 irreparable economic injury. ECF No. 34 (Palma Dec. ¶ 33). And, of course, every day that the  
 6 termination comes closer is another day on which Plaintiffs and thousands of other Venezuelan TPS  
 7 holders will suffer the acute mental anguish caused by the prospect that they could become  
 8 undocumented and face imminent arrest and detention, followed by deportation to Venezuela. *See*  
 9 *generally* ECF Nos. 20 (E.R. Dec. ¶ 19), 32 (M.H. Dec. ¶ 27), 17 (A.V. Dec. ¶¶ 12-13), 36 (Vivas  
 10 Castillo Dec. ¶¶ 20, 24).

11       6. For those reasons, Plaintiffs propose the following timeline:

12           • Defendants file their Response to Plaintiffs' Motion to Postpone by March 3, 2025;  
 13           • Plaintiffs file their Reply to Defendant's Response by March 7, 2025; and  
 14           • Plaintiffs respectfully request that, if the Court deems argument on Plaintiffs' Motion  
        to Postpone helpful, argument should be heard at any other time convenient for the  
        Court on or before March 21, 2025.

17       7. There have been no previous time modifications in this case.

18       8. Under Plaintiffs' proposed schedule, Defendants would have 11 days to file their  
 19 response to Plaintiffs' Motion to Postpone. Plaintiffs would then have four days to file a reply.

20       9. Although Plaintiffs' proposed schedule shortens time for both parties to prepare their  
 21 respective briefs, Plaintiffs are offering and prepared to shoulder substantially more of the burden of  
 22 this shortened schedule by filing their reply within four days after Defendants file their response  
 23 (and without any intervening weekend).

24       10. If granted, the requested motion to shorten time will have no effect on the overall case  
 25 schedule. Plaintiffs filed the Motion to Postpone on February 20, 2025, one day after filing the  
 26 Complaint. Although the Court has scheduled an initial case management conference for May 20,  
 27 2025 (ECF 39), no other schedules have been set.

11. Based on the foregoing, and for good cause shown, Plaintiffs respectfully request that the Court modify the briefing and hearing schedule as set forth in paragraph 6 above.

Date: February 24, 2025

Respectfully submitted,

## CENTER FOR IMMIGRATION LAW AND POLICY, UCLA SCHOOL OF LAW

/s/ *Ahilan T. Arulanantham*

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Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2025, I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

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/s/ Ahilan T. Arulanantham  
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